

Affidavit of Child Support Arrears and Worksheet Instructions

Please follow the instructions below to complete the Affidavit of Child Support Arrears and Worksheet.

Note: The noncustodial parent will be provided with a copy of your affidavit and may challenge or contest the amount you claim as due. **Since we do not have any records of child support owed to you prior to your application, we will not begin to collect those arrears unless a court establishes the amount of arrears, if any, that are owed.** DOR will assist you in filing a complaint for contempt with the court, but will have no records to support your claim as to the amount due.

Where to Begin: Use the grid labeled “Court Orders” at the top of the Affidavit of Child Support Arrears Worksheet to list the child support orders you have in your case with the other parent.

- Court Order Date: Write the date of the first court order for child support.
- Name of Court: Write the name of the court where the child support order was established.
- \$ Amount of Child Support Ordered: Write the amount of the current child support order.
- Frequency: Check whether the child support was to be paid weekly or monthly.
- Arrears Established: Write the amount of any arrears established in the court order.

If you have had more than one order for child support, please be sure to list each order in the grid following the steps noted above.

Use the grids labeled “Payments Made/Past-Due Support Owed” to calculate the balance of child support due to you.

- If a court established an amount of arrears, your calculation should begin with the date of the last court order (most recent) that established an amount of arrears.
- If you do not have a court order establishing the amount of arrears, start your calculation with the first month the other parent failed to pay the child support ordered by the court.

NOTE: IF YOU WERE ON PUBLIC ASSISTANCE, ANY ARREARS THAT ACCRUED DURING THAT TIME, UP TO THE AMOUNT OF ASSISTANCE YOU RECEIVED, WILL BE OWED TO THE COMMONWEALTH OF MASSACHUSETTS, NOT TO YOU.

1. **Year**: Write the year of the child support order with which you are beginning your calculations.
2. **# FRI**: Write the number of Fridays that occurred in that month. When counting the number of Fridays in the first month that child support was due, count only those Fridays on or after the date the court entered the order.
3. **Due**: Determine the amount of child support DUE for the month and enter that amount in the DUE column on the worksheet. If the court ordered a certain amount per month, the child support amount will not change month to month. If the court ordered a certain amount per week, you must multiply the number of Fridays by the child support order amount. For example, if your court order is \$100 per week and there are five Fridays in the month, then \$500 is due that month. If there are four Fridays in a month, then \$400 is due.

Note: If your calculations begin with a court order that established arrears, add that arrears amount to the amount of current support that was due for the month. For example, on March 11, 1996, the court entered an order for \$100 per week child support and that there were arrears of \$1,000 due as of that date. The amount of current support due for the month of March is \$1300 (the \$1000 plus \$300 for the remaining weeks of March (\$100 x 3 Fridays)).

If the court changed the amount of the child support order at anytime, you must note the change in the amount on the worksheet. Be especially careful to note for how many Fridays the old amount was effective and for how many Fridays the new amount was effective in the month the new order was established.

- 4. Paid:** Enter the amount the noncustodial parent paid during the month in the PAID column on the worksheet. Remember to include only child support payments given to you directly by the noncustodial parent, not payments that DOR may have sent to you in the past. Do not include any monies you may have received for things such as Christmas gifts, school clothes or school tuitions – they are not counted as child support.
- 5. Balance:** Subtract the amount in the PAID column from the amount in the DUE column and enter that amount in the BALANCE column.
- 6. Repeat steps 2 through 5 for each month.**
- 7. Totals:** Add together all the amounts in the DUE, PAID, and BALANCE columns.
- 8. Follow the directions above to complete a grid for each year child support was owed to you.** If you need additional copies, make copies of the second page of the worksheet before you begin to enter any information.
- 9. End your calculations at the end of the previous month.** For example, if you are completing this worksheet in May, then your calculations will end April 30th.
- 10. After you have calculated the total balances due, add together all the Total Balances from each grid on the worksheet and write that total in the appropriate space on the Affidavit of Child Support Arrears. You must then sign the affidavit under the penalties of perjury and date the affidavit.**